

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RICHARD GRAVINA, an individual; on behalf
of himself and all others similarly situated,

Plaintiff,

vs.

WELTMAN, WEINBERG & REIS CO.,
L.P.A., an Ohio Corporation; and JOHN AND
JANE DOES NUMBERS 1 THROUGH 25,

Defendants.

X

CASE NO.: 2:11-cv-01161-JFB-WDW

**NOTICE OF CLASS ACTION
SETTLEMENT**

AFFIDAVIT OF BAILEY HUGHES

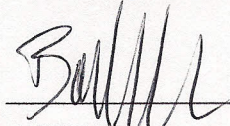
STATE OF ILLINOIS, COUNTY OF COOK

I, Bailey Hughes, under penalty of perjury affirm that the following statements are true:

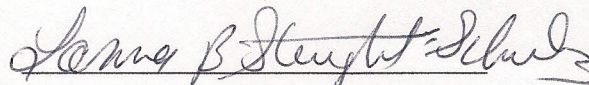
1. I am a Case Manager for First Class, Inc. and have personal knowledge of this matter.
2. First Class, Inc., a Class Action Administration Service, was retained to send the notices to the class members for this case.
3. The class list was received from Eileen Bitterman of Weltman, Weinberg & Reis Co., L.P.A., and contained 9,864 records.
4. Prior to mailing the notice to the individuals on the class mailing list, First Class, Inc. followed its standard practice of processing the list through the Coding Accuracy Support System (CASS) and the NCOA (National Change of Address) update process of the U.S. Postal Service using software certified by the U.S. Postal Service. CASS allows First Class, Inc. to verify the address is correctly formatted for delivery and it also corrects zip codes. NCOA Move Update provides current address information, if available, and information regarding deliverability.

5. Prior to mailing the notice to individuals on the class mailing list, First Class, Inc. followed its standard practice of checking for, and removing exact duplicate records within the class list, and in this case, 41 exact duplicates were found.
6. Prior to mailing the notice to individuals on the class mailing list, First Class, Inc. removed 3 records which were determined to be deceased per instructions from Eileen Bitterman of Weltman, Weinberg & Reis Co., L.P.A.
7. The notices were mailed on August 17, 2012 to 9,820 class members.
8. The notices were mailed via First Class mail, postage prepaid, with Electronic Service Requested.
9. As of November 13, 2012, a total of 1,164 notices were returned as undeliverable with no forwarding address or further information provided by the US Postal Service.
10. As of November 13, 2012, 181 notices were returned by the U.S. Postal Service with a new address and remailed.
11. As of November 13, 2012, no objections have been received.
12. As of November 13, 2012, no requests for exclusion have been received.
13. As of November 13, 2012, 916 valid claim forms have been received which were postmarked on or before the cutoff date of October 1, 2012.
14. As of November 13, 2012, 35 valid claim forms have been received which were postmarked after the cutoff date of October 1, 2012.
15. As of November 13, 2012, 3 claim forms were received after the cutoff date of October 1, 2012, but had either an illegible or missing postmark.
16. As of November 13, 2012, 26 claim forms have been received which were questionable, were sent to Counsel for review, and were determined to be invalid.

FURTHER AFFIANT SAYETH NOT.



AFFIANT



NOTARY PUBLIC



SWORN TO AND SUBSCRIBED before me this

14th day of November, 2012 by
Bailey Hughes of First Class, Inc.